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ISSUES REGARDING OPERABLE UNIT #3

01-28-91

USEPA/DOE-ORO
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LETTER



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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 6
230 SOUTH DEARBORN ST.
CHICAGO, ILLINOIS 60604

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REPLY TO ATTENTION OF:

28 JAN 1991

SRA-14

Mr. Joe LaGrone
Manager
United States Department of Energy
Oak Ridge Operations
P.O. Box 2001
Oak Ridge, Tennessee 37831-8501

Dear Mr. LaGrone:

There were two issues regarding Operable Unit #3 raised in our December 17, 1990, meeting regarding the Feed Materials Production Center site in Fernald, Ohio that the United States Environmental Protection Agency (U.S. EPA) committed to review. These issues include U.S. EPA's position regarding the thorium stored at Fernald and the United States Department of Energy's (U.S. DOE) decontamination and decommissioning (D&D) program's affect on the cleanup of the site under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), 42 U.S.C 9601 et seq.

U.S. EPA has reviewed the above issues and discussed them with our Headquarters. Our conclusion is that both the thorium and all the buildings within the production and other suspect areas are considered a part of Operable Unit #3 and are subject to the requirements of the CERCLA, the National Contingency Plan (NCP), and the 1990 Consent Agreement.

I am looking forward to receiving a copy of Fernald's management review that was completed in early January.

Please feel free to contact me if you have any questions.

Sincerely yours,

Valdas V. Adamkus
Regional Administrator

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cc: Acting Director, OE
Graham Mitchell, OE
Leo Duffy, U.S. DOE